WR Grace

SR00000600

Bankruptcy Form 10

Index Sheet

Claim Number: 00009691 Receive Date: 03/28/2003

Multiple Claim Reference

Claim Number _____

- ☐ MMPOC Medical Monitoring Claim Form
- ☐ PDPOC Property Damage
- ☐ NAPO Non-Asbestos Claim Form
- ☐ Amended

Claim Number _____

- ☐ MMPOC Medical Monitoring Claim Form
- ☐ PDPOC Property Damage
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- ☐ Amended

Attorney Information

Firm Number: 00348 Firm Name: Swidler Berlin Shereff Friedman LLP

Attorney Number: 00224 Attorney Name: Joel W Ruderman

Zip Code: 20007-5116

Cover Letter Location Number: SR00000600

Attachments Medical Monitoring	Attachments Property Damage	Non-Asbestos
☐ TBD	☐ TBD	☒ Other Attachments
☐ TBD	☐ TBD	
☐ TBD	☐ TBD	
☐ TBD	☐ TBD	
☐ TBD	☐ TBD	
	☐ Other Attachments	

Other

- ☐ Non-Standard Form
- ☐ Amended
- ☐ Post-Deadline Postmark Date

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF Delaware

GRACE NON-ASBESTOS PROOF OF CLAIM FORM

Name of Debtor:[1] W.R. Grace & Co.

Case Number 01-01139

NOTE: Do not use this form to assert an Asbestos Personal Injury Claim, a Settled Asbestos Claim or a Zonolite Attic Insulation Claim. Those claims will be subject to a separate claims submission process. This form should also not be used to file a claim for an Asbestos Property Damage Claim or Medical Monitoring Claim. A specialized proof of claim form for each of these claims should be filed.

Name of Creditor (The person or other entity to whom the Debtor owes money or property):
Shook & Fletcher Asbestos Settlement Trust

Name and address where notices should be sent:
Attn: Joel W. Ruderman, Esquire
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007-5116

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
☐ Check box if you have never received any notices from the bankruptcy court in this case.
☐ Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies Debtor:

Check here ☐ replaces
if this claim ☐ amends a previously filed claim, dated:_____

Corporate Name, Common Name, and/or d/b/a name of specific Debtor against whom the claim is asserted:

1. Basis for Claim
- ☐ Goods sold
- ☐ Services performed
- ☐ Environmental liability
- ☐ Money loaned
- ☐ Non-asbestos personal injury/wrongful death
- ☐ Taxes
- X Other Derivative Asbestos Claims -- see attachment
- ☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
- ☐ Wages, salaries, and compensation (fill out below)

Your SS #:_____ _____ _____
Unpaid compensation for services performed
from _____ to _____ (date)

2. Date debt was incurred: See attachment

3. If court judgment, date obtained:

4. Total Amount of Claim at Time Case Filed: $ unknown

If all or part of your claim is secured or entitled to priority, also complete Item 5 below.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

5. Classification of Claim. Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured Nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM AT TIME CASE FILED.

☐ SECURED CLAIM (check this box if your claim is secured by collateral, including a right of setoff.)

Brief Description of Collateral:

☐ Real Estate ☐ Other (Describe briefly) _____

Amount of arrearage and other charges at time case filed included in secured claim above, if any: $_____

Attach evidence of perfection of security interest

☐ UNSECURED NONPRIORITY CLAIM

A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.

☐ UNSECURED PRIORITY CLAIM - Specify the priority of the claim.

- ☐ Wages, salaries, or commissions (up to $4650), earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).
- ☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).
- ☐ Taxes or penalties of governmental units - 11 U.S.C. § 507(a)(7).
- ☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a(_____).

6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

7. Supporting Documents: *Attach copies of supporting documents,* such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

8. Acknowledgement: Upon receipt and processing of this Proof of Claim, you will receive an acknowledgement card indicating the date of filing and your unique claim number. If you want a file stamped copy of the Proof of Claim form itself, enclose a self addressed envelope and copy of this proof of claim form.

This Space is for Court Use Only

Date 03/26/03

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):
Joel W. Ruderman, Esquire
Joel W. Ruderman

WR Grace BF.40.158.7869
00009691
SR=600

REC'D MAR 28 2003

[1] See General Instructions and Claims Bar Date Notice and its exhibits for names of all Debtors and "other names" used by the Debtors.

ATTACHMENT TO PROOF OF CLAIM
OF SHOOK & FLETCHER ASBESTOS SETTLMENT TRUST

Shook & Fletcher Asbestos Settlement Trust (the "Trust") files this Proof of Claim against W.R. Grace and Co. ("W.R. Grace"), as follows:

Shook & Fletcher Insulation Co. ("Shook") was a specialty thermal insulation contractor and distributor since its inception in 1949. On April 8, 2002, as a result of thousands of claims from individuals asserting asbestos-related injuries, Shook filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code.

On October 29, 2002, Shook's Second Amended Plan of Reorganization (the "Shook Plan") was confirmed by the United States Bankruptcy Court for the Northern District of Alabama. On November 8, 2002, the United States District Court for the Northern District of Alabama entered an Order Affirming the Confirmation, and the Plan became effective on December 11, 2002. Pursuant to the Shook Plan, Shook & Fletcher's asbestos-related claims were channeled to the Trust.

Prior to December 11, 2002, Shook settled, or participated in the settlement of numerous asbestos-related personal injury claims. The Trust believes that it is likely to be subject to claims and future demands for payment of asbestos-related personal injury claims. W.R. Grace may be liable to the Trust, for contribution or indemnity in connection with the claims and expenses described above, for amounts incurred by Shook or the Trust, or for amounts to be incurred by the Trust in the future, arising of or relating to such claims.

This Proof of Claim is intended to cover all of the Trust's rights against W.R. Grace arising from claims or lawsuits against Shook or the Trust based on any theory of law, equity or admiralty, related to or arising out of asbestos products and for which W.R. Grace has liability. In asserting this claim, the Trust does not make any admission of liability to any plaintiff and denies all such liability on behalf of itself and Shook. By filing this Proof of Claim, the Trust does not waive any rights it may have to seek contribution and indemnification from W.R. Grace for suits filed against Shook or the Trust, or claims asserted against Shook or the Trust subsequent to confirmation of any Plan by this Court.

The Trust reserves all of its rights to amend, modify or supplement this Proof of Claim.

The amount of this claim presently is unknown.